

REMARKS/ARGUMENTS

Entry of the foregoing Amendment and reconsideration of this application are requested. Claims 5 and 6 have been amended, claims 1, 2, 3 and 4 have been cancelled, claims 7 and 8 have been newly added and claims 5, 6, 7 and 8 are now pending in the application.

Proper headings have now been added to the specification as required by the Examiner.

Claims 1-3 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Thiltgen. Claims 4 and 5 have been rejected under 35 § 103(a) as being unpatentable over Thiltgen.

Applicant acknowledges the conditional allowability of claim 6 if rewritten as suggested. Accordingly, claim 6 is the combination of original claims 1, 2 and 4. Claim 5 as amended depends from claim 6.

With regard to the Examiner's objections based on Thiltgen U.S. 5,036,875, the retaining mechanism for the valve member is not, in this case, held in position by an frictional engagement between the surface of the chemically sensitive member (90) and plunger (96) ("the support guide assembly") as specified in claim 3 of the present application. Rather, these two parts simply abut directly against each other. Consequently a very considerable degree of degradation of the cylindrical member 90 would be required, before this mechanism would be triggered, and it is respectfully submitted that the present invention overcomes this problem by making the engagement between the parts purely dependent on surface friction. Thus, it is only necessary for a small degree of degradation of the chemically sensitive member to take place, for example by the entry of a small amount of vaporized liquid, in order to trigger the movement of the closure device. It will be clear from the drawing shown as Figure 4 of the citation, on the other hand, that a significant flow of fluid right through the device would be necessary to "dissolve" the member 90 sufficiently to allow the plunger 96 to move, by which time severe contamination would have occurred.

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Accordingly, applicant presents newly added claims 7 and 8 which are believed to distinguish over the cited prior art.

It is now believed all pending claims are patentable over the prior art. The Examiner is thus requested to pass this application to issue with claims 5, 6, 7 and 8 being deemed allowable.

Respectfully submitted,

ANDRUS, SCEALES, STARKE & SAWALL, LLP

A handwritten signature in black ink, appearing to read "William L. Falk". The signature is fluid and cursive, with the first name "William" and last name "Falk" clearly distinguishable.

William L. Falk
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